



CITY COUNCIL REDEVELOPMENT AGENCY AGENDA

**City of Westminster
Adjourned Regular Meeting
August 30, 2006**

7:00 p.m. – Council Chambers

**8200 Westminster Boulevard
Westminster, California 92683**

**MARGIE L. RICE
MAYOR**

**FRANK G. FRY
Mayor Pro Tem**

**KERMIT MARSH
Council Member**

**ANDY QUACH
Council Member**

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I)

GENERAL INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the first and third Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

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PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

AGENDA

August 30, 2006

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, FRY, MARSH, QUACH

PRESENT:

ABSENT:

SALUTE TO FLAG: Council Member Marsh

INVOCATION:

SPECIAL PRESENTATIONS:

- A. Recognition of First Bank for their generous donation of furniture to the Westminster Rose Center. Certificate of Appreciation to be accepted by Benny Vargas, Vice President, Regional Director of Property Management.
- B. Recognition of Graffiti Reward Recipient, Marshall Christmann

AGENDA

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1. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

APPROVAL OF MINUTES

- 1.1 (City Council/Redevelopment Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency of August 23, 2006. (Marian Contreras)**

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.3 Proclamation declaring September, 2006 as National Save A Life (SALF) Month in the City of Westminster.**

RECOMMENDATION: Approve.

- 1.4 Proclamation declaring September 8, 2006 as Developmental Disabilities Day in the City of Westminster.**

RECOMMENDATION: Approve.

- 1.5 Planned Expenditure of State Law Enforcement Subvented Funds (SLESF), Fiscal Year 2006-2007 (Mitch Waller)**

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the planned expenditure of State Law Enforcement Subvented Funds in the amount of approximately \$130,000 for fiscal year 2006-2007 for the funding offset of one police sergeant position at the police department.

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1. CONSENT CALENDAR (Continued)

- 1.6 Fee Waiver Request from the Vietnamese American Pharmacy Student Association to Conduct an Immunization Drive and Health Fair in the East/West Room of the Community Services Building on October 7, 2006 from 9:00 a.m. until 5:00 p.m. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the fee waiver request as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit Organizations.

- 1.7 Fee Waiver Request from the Westminster Girl Scouts to Conduct a Silver Awards Ceremony in the East/West Room of the Community Services Building on September 15, 2006 at 7:00 p.m. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the fee waiver request as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit Organizations.

- 1.8 Amendment No. 1 to Contractual Services Agreement with Harris & Associates for Street Pavement Management System Upgrade (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve Amendment No. 1 to the Contractual Services Agreement with Harris & Associates, in an amount not to exceed \$5,000.00, and authorize the Interim City Manager to execute the amendment on behalf of the City.

- 1.9 Rejection of Bid for Purchase of Brass Pipeline Materials for the Repair and Installation of Water Services for FY 2006-07 (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council reject the one bid received for the purchase of brass pipeline materials for the repair and installation of water services for FY 2006-07, and authorize the City Clerk to rebid the subject purchase.

- 1.10 Rejection of Bid for Purchase of Miscellaneous Pipeline Materials for the Repair and Installation of Water Mains and Services for FY 2006-07 (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council reject the one bid received for the purchase of miscellaneous pipeline materials for the repair and installation of water mains and pipelines for FY 2006-07, and authorize the City Clerk to rebid the subject purchase.

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1. CONSENT CALENDAR (Continued)

1.11 Approval of the City Pavement Management Plan (PMP) for Maintenance and Rehabilitation of Arterial and Collector Streets for 2006/2007 Measure M Compliance (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the PMP for arterial and collector streets and authorize staff to submit the report to the Orange County Transportation Authority (OCTA) to fulfill the 2006/2007 Measure M requirement.

1.12 Increase in Purchase Order for Replacement of A/C Condensing Unit at the Police Department Building (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an increase to the purchase order with Koltemp Air Conditioning in the amount of \$14,860.00.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.13 Resolution No. 4033 - A Resolution of the Mayor and City Council of the City of Westminster Designating the Emergency Coordinator and the Assistant to the City Manager as the City's Authorized Agents to the State of California Office of Emergency Services. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4033 and waive further reading.

ADMINISTRATIVE ITEMS

1.14 Special Event Permit Application from Westminster Foursquare Church to hold their annual Classic Car Show on Saturday, September 16, 2006 between the Hours of 11:00 a.m. and 3:00 p.m. The event will take place at the Westminster Foursquare Church located at 8091 22nd Street, Westminster. The anticipated attendance is 1,000 people. (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the request from Westminster Foursquare Church to waive the \$100 Special Event fee; and
- 2) Approve the Special Event Permit application subject to the conditions attached to the staff report.

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1. CONSENT CALENDAR (Continued)

- 1.15 Special Event Permit Application from Circus Vargas to hold a circus beginning October 10, 2006 through October 16, 2006 (includes set up and clean up days). The circus will be open to the public October 11, 2006 through October 15, 2006. The event will take place at the Westminster Mall parking lot between Macy's and JC Penney's. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

WARRANT REGISTER

- 1.16 (City Council/Redevelopment Agency) Warrant Register dated August 9 through August 22, 2006. (Paul Espinoza)**

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.17 Minutes of the Traffic Commission Meeting held on August 1, 2006. (Marwan Youssef)**

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

2. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

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3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on August 23, 2006

RECOMMENDATION: That the City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of August 23, 2006

- 1) Case 2006-34, Conditional Use Permit and Design Review, located at 7498 Garden Grove Boulevard, regarding a wireless communications facility on an existing transmission tower within the Southern California Edison electrical utility right-of-way.
- 2) Case 2006-40, Conditional Use Permit and Site Plan Review, located at 15151 Beach Boulevard, to establish and operate a used car sales business.
- 3) Case No. 2006-74, Sign Variances, located at 13590 Beach Boulevard (Lexus dealership) involving installation of various signs requiring variances

4. PUBLIC HEARINGS

ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS: After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

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4. PUBLIC HEARINGS (Continued)

4.1 Resolution Amending Fees and Charges for Special Services Provided by the City of Westminster (Paul Espinoza)

Time set for the public hearing to consider the revision of fees and charges for special services provided by the City of Westminster in compliance with Chapter 3.50 of the Westminster Municipal Code.

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4037 entitled, "A Resolution of the Mayor and City Council of the City of Westminster establishing fees and charges for special services provided by the City of Westminster for the 2006-07 fiscal year" and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports – Report from Mayor Pro Tem Fry on his attendance at the 2006 NATOA Conference.

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Expansion of Police Department Wireless System Using Verizon Wireless. (Mitch Waller)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Accept the State Master Contract (#1S-05-58-02) for Verizon Wireless costs and related Verizon Business (landline) costs in an amount not to exceed \$33,000, and
- 2) Amend the fiscal year 2006-07 adopted budget to increase budgeted expenditures for the Department of Justice seized funds account (Fund 250, Account No. 34100), the Department of Transportation seized funds account (Fund 250, Account No. 34200), the Federal Narcotics seized funds account (Fund 250, Account No. 34300) and the Local Criminal seized funds account (Fund 260, Account No. 35100) for the following accounts:

• Contractual (Account No. 35100.43090)	\$ 3,112.54
• Contractual (Account No. 34300.43090)	1,836.10
• Contractual (Account No. 34200.43090)	2,144.57
• Contractual (Account No. 34100.47022)	2,627.60
• Contractual (Account No. 34100.43090)	<u>23,279.19</u>
Verizon Wireless Project Total:	\$ <u>33,000.00</u>

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

6.2 Increase the Westminster Rose Center Budget to Include Funds Received from Southern California Edison under their "Savings By Design" Incentive Program (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council increase the Westminster Rose Center fiscal year 2006-07 budget by \$10,970, and authorize the transfer of funds from the Cable TV Fund (Account No. 11200-91000 to the Westminster Rose Center (Account No. 11202-964001).

6.3 Award of Contract for Fumigation of Three City Buildings: Council Chambers, City Hall, and Clock Tower, and Five-Year Maintenance Program (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council appropriate \$24,923.00 from Government Buildings Contingency (Account No. 75500-60904) to Repairs and Maintenance Buildings (Account No. 75500-44082); and award the contract to the low qualified bidder in the amount of \$24,923.00 to Western Exterminator Company; that all other bids be rejected; and that the Interim City Manager be authorized to execute the contract on behalf of the City.

6.4 (City/Agency) Allocation of Redevelopment Agency Low-and Moderate-Income Housing funds to two non-profits, Abrazar, Inc. and American Family Housing, Inc. (Shelter for the Homeless) for acquisition of affordable housing units and rehabilitation purposes under the Lease Purchase Program and approve six Agreements. (Don Anderson)

RECOMMENDATION: Staff recommends that the Agency Board:

- 1) Allocate Redevelopment Low-and Moderate-Income Housing funds in the amount of \$1,018,014 to Abrazar, Inc. (\$523,576) and American Family Housing, Inc. (\$494,438) for acquisition of four affordable housing units under the Lease Purchase Program; and
- 2) Allocate an additional amount of Redevelopment Low-and Moderate-Income Housing funds in the amount of \$60,000 to provide new heating and air conditioning systems for the six condominium units previously approved on May 31, 2006 by the Agency; and
- 3) Approve the Affordable Housing Assistance Agreement with Abrazar, Inc. to Implement the acquisition of two affordable housing units; and
- 4) Approve the Affordable Housing Assistance Agreement with American Family Housing, Inc. to implement the acquisition of two affordable housing units; and
- 5) Approve the First Amendment to the Affordable Housing Assistance Agreement dated May 31, 2006 to provide additional funding for heating and air conditioning systems in the amount of \$10,000 per each of the six previously approved units for a total of \$60,000.

(continued) →

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the HOME Program Participation Agreement with Abrazar, Inc. to implement the acquisition of two affordable housing units under the Lease Purchase Program utilizing previously allocated HOME funds; and
- 2) Approve the HOME Program Participation Agreement with American Family Housing, Inc. to implement the acquisition of two affordable housing units under the Lease Purchase Program utilizing previously allocated HOME funds.

6.5 Consider the Cancellation of the Regular Council/Agency Meeting scheduled for Wednesday, September 27, 2006 (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board consider cancelling the September 27, 2006 regularly scheduled meeting.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS

8.1 Resolution No. 4025 – Conflict of Interest Code Amendments (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4025 entitled, "A Resolution of the Mayor and City Council of the City of Westminster amending the Conflict of Interest Code for the City of Westminster for Designated Employees and Officials", and waive further reading.

8.2 Resolution No. 4038 – Amending the Official City Travel Policy for Department Heads and Staff. (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4038 entitled, "A Resolution of the Mayor and City Council of the City of Westminster amending the Official City Travel Policy for Department Heads and Staff", and waive further reading.

9. COMMISSION AND COMMITTEE ITEMS

9.1 Appointments to the 3rd Assault Amphibian Battalion Advisory Committee.

RECOMMENDATION: That the Mayor and City Council each nominate one (1) member for appointment to the subject Advisory Committee.

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9. COMMISSION AND COMMITTEE ITEMS (Continued)

9.2 Ad Hoc Residential Standards Committee Appointments (Marian Contreras)

RECOMMENDATION: That the Mayor and City Council appoint one (1) Mobile Home Park Owner and one (1) Apartment Complex Owner to serve on the Ad Hoc Residential Standards Committee.

10. COUNCIL/AGENCY ADJOURNMENT: In memory of Yen Do, founder and publisher of the Nguoi Viet Daily News.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.


Marian Contreras, City Clerk/Agency Secretary